

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

U.S.A. vs. Michael R. Johnson

Docket Nos. 00-00146-001 & 00-00136-007

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Michael R. Johnson, who was placed on supervision by the Honorable Alan N. Bloch sitting in the Court at Pittsburgh, Pennsylvania, on the 30th day of November 2000, who fixed the period of supervision at five years at each criminal number, to be served concurrently, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$300 special assessment.
- Shall participate in a program of testing and, if necessary, treatment for substance abuse as directed by the probation office.

11-30-00: Criminal No. 00-00136-007: Conspiracy to Distribute and Possess With Intent to Distribute in Excess of 100 Kilograms of Marijuana, and Conspiracy to Launder Monetary Instruments; 188 months' custody of the Bureau of Prisons, at each count, to be served concurrently, 5 years' supervised release at Count 1, and 3 years' supervised release at Count 2, to be served concurrently. Criminal No. 00-00146-001: Possession With Intent to Distribute in Excess of 500 Grams of a Mixture and Substance Containing a Detectable Amount of Cocaine Hydrochloride; 188 months' imprisonment, 5 years' supervised release, to be served concurrently.

11-07-02: Releasee resentenced to serve a custody term of 72 months at each of the above counts, said terms to be served concurrently.

09-30-05: Released to supervision; Currently supervised by U.S. Probation Officer John P. Kuklar.

06-05-07: Transfer of supervision of this case to the District of New Mexico approved by the Court.

07-05-07: Supervision transferred to the District of New Mexico.

07-14-07: Releasee arrested by Albuquerque, New Mexico, Police Department on a charge of Driving Under the Influence of Alcohol (DUI).

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner avers that the defendant has violated the terms of supervised release as follows:

**While on supervised release, you shall not commit another Federal, state, or local crime, and
you shall not possess a controlled substance.**

On July 14, 2007, the releasee was arrested by the Albuquerque, New Mexico, Police Department on a charge of Driving Under the Influence of Alcohol (DUI). To date, this charge is pending disposition.

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PRAYING THAT THE COURT WILL ORDER the term of supervision be modified to include a special condition requiring residence at the Community Corrections Center, until released by the program director, for a period not to exceed 120 days, and that the releasee refrain from the use of alcohol during the duration of his term of supervised release.

I declare under penalty of perjury that the foregoing is true and correct.

ORDER OF COURT

Considered and ordered this _____ day of _____, 20 ____ and ordered filed and made a part of the records in the above case.

U.S. District Judge

Executed _____
on _____ September 11, 2007

John P. Kuklar

John P. Kuklar
U.S. Probation Officer

Roselyn Gerson

Roselyn Gerson
Supervising U.S. Probation Officer

Place: Pittsburgh, Pennsylvania

PROB 49
(3/89)

United States District Court

Western District Of Pennsylvania

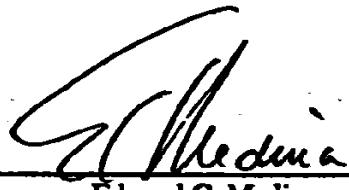
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Shall participate in a term of community confinement (in the District of New Mexico) not to exceed 120 days; and shall refrain from the use of alcohol during the term of supervised release.

Witness:



Edward C. Medina
United States Probation Officer

Signed:



Michael R. Johnson
Probation or Supervised Release

9/10/07
(Date)